UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARNEGIE INSTITUTION OF WASHINGTON, M7D CORPORATION, *Plaintiffs,* v. PURE GROWN DIAMONDS, INC., IIA TECHNOLOGIES PTE. LTD D/B/A IIA TECHNOLOGIES, *Defendants.*	Civil Action No. 1:20-cv-00189-JSR
CARNEGIE INSTITUTION OF WASHINGTON, M7D CORPORATION, *Plaintiffs,* v. FENIX DIAMONDS LLC, *Defendant.*	Civil Action No. 1:20-cv-00200-JSR

DECLARATION OF MATTHEW J. MOFFA IN SUPPORT OF
PLAINTIFFS' MOTIONS TO DISMISS

I, **MATTHEW J. MOFFA**, do declare and state as follows:

I am an attorney at Perkins Coie LLP licensed to practice law in the State of New York and counsel for plaintiffs Carnegie Institution of Washington and M7D Corporation (collectively, "Plaintiffs") in the present action. I make this Declaration based on my personal knowledge and in support of *Plaintiffs' Motions to Dismiss*.

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1.   Attached as Exhibit 1 is a true and correct copy of excerpts of the prosecution history of U.S. Patent Application No. 10/161,266, issued as U.S. Patent No. 6,811,610.

2.   Attached as Exhibit 2 is a true and correct copy of excerpts of the prosecution history of U.S. Patent Application No. 10/889,171.

3.   Attached as Exhibit 3 is a true and correct copy of excerpts of the prosecution history of Reissue Patent Application No. 12/362,529, issued as U.S. Patent RE41,189.

4.   Attached as Exhibit 4 is a true and correct copy of U.S. Patent No. 6,811,610 dated November 2, 2004.

5.   Attached as Exhibit 5 is a true and correct copy of excerpts from the Manual of Patent Examining Procedure, Eighth Edition, August 2001, Last Revision July 2008.

6.   Attached as Exhibit 6 is a true and correct copy of excerpts of Title 37 from the Code of Federal Regulations revised July 1, 2008.

7.   Attached as Exhibit 7 is a true and correct copy of excerpts of the deposition of Dr. Robert H. Frushour taken on June 11, 2020.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 7, 2020

By: */s/ Matthew J. Moffa*_____
        Matthew J. Moffa